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Attorneys for Plaintiff  
MATTHEW OSPECK

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

MATTHEW OSPECK, an individual and  
resident of California,

Plaintiff,

v.

SPEEDSTER MOTORCARS OF  
CENTRAL FLORIDA, INC., a Florida  
corporation; TODD BONTRAGER, an  
individual and resident of Florida; TIM  
DURHAM, an individual and resident of  
Indiana; and OBSIDIAN  
ENTERPRISES, INC., a Delaware  
Corporations.

Defendants.

Honorable Jeffrey S. White

Case No. C-04-1826-JSW

**~~[PROPOSED]~~ ORDER GRANTING PLAINTIFF'S MOTION TO FILE UNDER  
SEAL CERTAIN EXHIBITS IN SUPPORT OF ITS DISCOVERY REQUEST TO  
SUPPORT ITS RULE 56(f) MOTION TO ADEQUATELY RESPOND TO DEFENDANTS'  
MOTION FOR SUMMARY JUDGMENT TO DISMISS OBSIDIAN ENTERPRISE INC.  
AND MOTION FOR SANCTIONS**

IT IS HEREBY ORDERED THAT:

Plaintiff's motion to file under seal certain documents listed below in support of its Rule  
56(f) motion requesting discovery to adequately respond to Defendants' Motion for Summary

~~[Proposed]~~ Order Granting Plaintiff's Motion to File Under  
Seal Certain documents in Support of its Rule 56(f) Discovery  
Request

1 Judgment to Dismiss Obsidian Enterprise Inc. and its Motion for Sanctions is granted. The  
2 documents that may be filed under seal are:

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4 Exh. D, Speedster Motorcars Document Production (hereinafter referred to as "SMDP") 82,  
5 Speedster Motorcars of Central Florida, Inc. Subscription Agreement;

6 Exh. E, SM DP 116, Amended Revolving Credit Note agreed to between DC Investments LLC  
7 and Speedster Motorcars of Central Florida, Inc.;

8 Exh. F, SM DP 191, Speedster Motorcars of Central Florida Inc. Subscription Agreement  
9 subscribing stock to DC Investments LLC;

10 Exh. G, SM DP 193, Stock Purchase Agreement;

11 Exh. I, SM DP 261, Email from Jeff Osler to Todd Bontrager;


12 Exh. J, SM DP 265, Speedster Report dated February 19, 1994, from Todd Bontrager;

13 Exh. K, SM DP 289; Speedster Report dated May 25, 2004, from Todd Bontrager;

14 Exh. L, SM DP 294, Speedster Report dated July 9, 2004, from Todd Bontrager; and

15 Exh. M, SM DP 259, Email from Adam Dowe to Tim Durham, Terry Whitesell and Jeff Osler.

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20 Dated: January 19, 2006

  
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Jeffrey S. White  
Judge, U.S. District Court, Northern  
District of California